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IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
WICHITA FALLS DIVISION

IN RE:	§ CASE NO. 07-70508-hdh-13
	§
Symetha Ramona Parker	§
	§ JUDGE HARLIN D. HALE
	§
	§ HEARING DATE: June 24, 2009
DEBTORS	§ HEARING TIME: 11:00 A.M.

NOTICE OF HEARING, PRE-HEARING CONFERENCE  
AND ATTACHED MODIFICATION OF PLAN AFTER CONFIRMATION

NOTICE OF HEARING

On June 24, 2009, which is at least twenty-five (25) days from the date of service hereof, at 11:00 o'clock A.M. a HEARING on the above and foregoing "Modification of Plan After Confirmation" will be held before the Bankruptcy Judge in Room 208, U.S. Courthouse, 10TH AND LAMAR Street, WICHITA FALLS, Texas. Creditors are not required to attend unless they have objections to the Modification.

NOTICE OF PRE-HEARING CONFERENCE

A PRE-HEARING CONFERENCE will be held by the Trustee at 8:30 o'clock A.M. prior to the above hearing time at the following location 10TH AND LAMAR STREET, WICHITA FALLS, TEXAS. Hearings on Motions to Modify Plans with objections not resolved at the PRE-HEARING CONFERENCE will be heard by the Court at the scheduled Hearing time.

NOTICE is hereby given that pursuant to 11 USC 1329 the attached "Modification of Plan" dated April 27, 2009, will be approved by the Court as the Debtor(s) Modified Chapter 13 Plan Unless a party in interest files a written "Objection to the Modification" within twenty (20) days of service hereof, and the Debtor has made any subsequent payments required under the Modified Plan. An "Objection to Modification" shall be made in writing to the following: U.S. Bankruptcy Court, Clerks Office, 1100 Commerce Street Room 12A24, Dallas, TX 75242, with copies sent to Walter O'Cheskey, Chapter 13 Trustee, 6308 Iola, Lubbock, TX, 79424 and Debtor(s) Attorney at the above address.

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IN RE:

Symetha Ramona Parker

§ CASE NO. 07-70508-hdh-13

§

§ HEARING DATE: June 24, 2009

DEBTOR(s)

§ HEARING TIME: 11:00 A.M.

FIRST MODIFICATION OF CHAPTER 13 PLAN AFTER CONFIRMATION

DATE: April 27, 2009

Pursuant to 11 USC 1329, the Debtor(s) (per the undersigned attorney) or the Standing Chapter 13 Trustee, requests the following Modification of Debtor(s) Confirmed Plan herein:

I. HISTORY OF THE CASE

1. Date Case Filed: 12/3/2007
2. Date of Section 341 Meeting: 1/3/2008
3. First Payment Date: 1/2/2008
4. Date of Confirmation: 1/29/2008
5. Total Plan Term Prior to this Modification: 49
6. Number of Months from First Payment Date through month prior to estimated month of Modification Approval: 17
7. Remaining Plan Term (subtract item 6 from the lesser of item 5 or 60 months): 32
8. Amount of Arrears through the month prior to the date the Modification is filed: \$170.00
9. Date plan payments are to resume: June 2, 2009
10. Total Payments Paid to the Trustee through the month prior to the date the Modification is filed with the clerk: \$5,230.00
11. Total payments due to the Trustee through the month prior to the date the Modification is filed with the clerk: \$5,400.00
12. Total Payments Due to the Trustee from the month the Modification is filed to the month the Modification is set for approval: \$411.00 and \$170.00 arrears
13. List Dates of any Prior Orders Modifying, Interlocutory Orders, or Special Supervision Orders:

TRCC 9/19/2008

## II. MODIFICATION REQUESTED

(CHECK 1 OR MORE OF THE FOLLOWING 4 CHOICES)

- \_\_\_\_\_ Plan payments remain at \$\_\_\_\_\_per month.  
  x   DECREASE monthly payment from \$411.00 per month to \$188.00 per month  
(must coincide with resume date shown in item 9 above)  
\_\_\_\_\_ Extend months from \_\_\_\_\_months to \_\_\_\_\_ months (not to exceed 60 calendar  
months from month of First Payment Date)  
\_\_\_\_\_ Add balloon payment of \_\_\_\_\_ in \_\_\_\_\_ month (indicate how the balloon payment will be  
made)

\_\_\_\_\_  
\_\_\_\_\_ All modifications that include a balloon payment will require testimony.

Any arrears indicated in item 8 above shall be cured by the following method: Prior to hearing on June 24, 2009 or in the alternative, through a 6 month interlocutory order.

## III. RESUMPTION OF PAYMENTS TO THE TRUSTEE

(All information below must be complete)

Payments can only change as of the month the modification is approved. Payments to the Trustee in the amount of \$188.00 will resume on or before June 2, 2009 for 32 months (item 7 above) remaining in the Modified Plan as of the date the modification is approved.

Base amount will change from \$19,374.00 to \$12,238.00

If the base amount has changed complete the following:

1. Total Paid in as of the month prior  
to Modification Approval: \$6,222.00
2. (+)Plus Total Payments to be made  
through the Remainder of Plan: \$6,016.00  
(Making up any arrears in item 9 above)
3. (=) New Base Amount \$12,238.00

## IV. TREATMENT OF UNSECURED CREDITORS

Unsecured creditors are not guaranteed a dividend when a plan is confirmed. See general order 2007-2. Allowed general unsecured claims may receive a pro-rata share of the unsecured creditors' pool, but not less than the section 1325(a)(4) amount of non-exempt property less allowed administrative and priority claims, after the TRCC becomes final. A proof of claim must be timely filed to be allowed.

x The unsecured creditor pool remains \$ 0 .

\_\_\_\_\_ The unsecured creditor pool changes from \$ \_\_\_\_\_ to \$ \_\_\_\_\_.

V. SECURED, PRIORITY OR SPECIAL CLASS TREATMENT

ADD/DELETE/SURRENDER/CHANGE the following Secured, Priority or Special Class Unsecured Creditor(s):

C/D;A=ADD;D = DELETE; S = SURRENDER; CF = CHANGE FROM; CT = CHANGE TO

Code	Name	Class	Description	Amount	Treatment
CF	Wichita County	S	Property Taxes	\$1,704.59	Pay Direct
CT	“	“	“	“	Surrendered

OR

\_\_\_ Check here if no changes are to be made to creditors.

Note: Changes to any creditors above shall not be effective until the Modification is approved.

VI. ATTORNEY FEES

Debtor's attorney shall be allowed an additional fee for this Modification in the total amount of \$350.00 plus \$50.00 in costs, of which \$400.00 will be paid through the Plan by the Trustee; or

\_\_\_ Check here if no additional attorney fee has been added for this Modification of Plan after Confirmation.

VII. REASON FOR MODIFICATION

This modification is requested for the following reason(s): Stay has lifted on Debtor's home and Debtor's expenses have changed. Debtor wishes to modify to lower Chapter 13 Plan payments.

VIII. BUDGET INFORMATION

At the time of filing this modification the debtor shall provide a filed marked copy of the current budget (schedules I & J) and the three most recent pay stubs to the Trustee.

See Amended Schedules I & J on file with the Court.

Respectfully submitted,

/s/Monte J. White  
Attorney for Debtor(s)

CERTIFICATE OF SERVICE

I certify that a true copy of the above and foregoing Modification of Plan after Confirmation, Notice of Hearing and Pre-Hearing Conference has been served by me on April 28, 2009, on all parties on the attached matrix, by United States First Class Mail, proper postage affixed.

/s/Monte J. White  
Attorney for Debtor(s)

<p>Case 07-70508-hdh13 Doc 41 Filed 04/28/09 Entered 04/28/09 12:26:37 Desc Main Label Matrix for local noticing 0539-7  Case 07-70508-hdh13  Northern District of Texas  Wichita Falls  Mon Apr 27 12:38:10 CDT 2009</p>		
<p>Asset Acceptance LLC  Po Box 2036  Warren MI 48090-2036</p>	<p>1100 Commerce Street  Room 1254  Dallas, TX 75242-1305</p>	<p>Ace America's Cash Expr.  P O Box 740933  Dallas,Tx 75374-0933</p>
<p>Citibank USA Home Depot  PO Box 6003  Hagerstown, MD 21747-6003</p>	<p>Barrett,Burke,Wilson,Castle,Daffin,Frapp  15000 Surveyor Blvd, Ste 100  Addison, TX 75001-4417</p>	<p>CitiFinancial  4214 Kell Blvd., Ste. 107  Wichita Falls, TX 76309-4819</p>
<p>Cottonwood Financial  1901 Gateway Drive  Suite 200  Irving, TX 75038-2425</p>	<p>City of WF, WFISD, Wichita Co  CO Harold Lerew  PO Box 8188  Wichita Falls, TX 76307-8188</p>	<p>Continental Credit Corp.  706 10th Street  Wichita Falls, TX 76301-3408</p>
<p>Monte J. White &amp; Associates  1106 Brook Ave  Wichita Falls TX 76301-5009</p>	<p>FOURSCORE RESOURCE CAPITAL LLC  c/o Jefferson Capital Systems LLC  PO BOX 23051  COLUMBUS GA 31902-3051</p>	<p>IRS Special Procedures  1100 Commerce St., Room 951  Mail Stop 5029 DAL  Dallas, TX 75242-1001</p>
<p>Sprint Nextel -- Distribution  Attn: PO Box 172408  Denver, CO 80217-2408</p>	<p>Park Dansan Collections-MCI Communicatio  113 W 3rd Ave  Gastonia, NC 28052-4320</p>	<p>Sprint Nextel -- Correspondence  Attn: Bankruptcy Dept  PO Box 7949  Overland Park, KS 66207-0949</p>
<p>WICHITA FALLS CITY, ISD &amp; WICHITA COUNTY  C/O PERDUE BRANDON FIELDER COLLINS &amp; MOT  PO BOX 8188  WICHITA FALLS TX 76307-8188</p>	<p>Sprint PCS  PO Box 219554  Kansas City, MO 64121-9554</p>	<p>The Cash Store - No. 718  3900 Sheppard Access Rd.  Wichita Falls, Texas 76306-4226</p>
<p>eCAST Settlement Corporation assignee of  Citibank USA NA/HOME DEPOT  POB 35480  Newark NJ 07193-5480</p>	<p>Wells Fargo Bank NA  3476 Stateview Blvd  Fort Mill, SC 29715-7200</p>	<p>Wells Fargo Bank, N.A.  c/o Legal Practice Management  15000 Surveyor Blvd.  Suite 1720  Addison, TX 75001-4417</p>
<p>UST U.S. Trustee  1100 Commerce Street  Room 976  Dallas, TX 75242-1011</p>	<p>Monte J. White  Monte J. White &amp; Associates, P.C.  1106 Brook Avenue  Wichita Falls, TX 76301-5009</p>	<p>Symetha Ramona Parker  2011 McGregor  Wichita Falls, TX 76301-5510</p>

